

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ANGELO RANDOLPH,)
Plaintiff)
)
vs.) Civil Action No. 05-58
) Judge Joy Flowers Conti/
PITTSBURGH POLICE DEPT.; OFFICER) Magistrate Judge Amy Reynolds Hay
JOSEPH LEWIS, #3803; OFFICER)
JERRY KABAJA, 3828,)
Defendants)

AND NOW, this 19th day of January, 2006, after the plaintiff, Angelo Randolph, filed an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and no objections having been filed, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS ORDERED that the Complaint is dismissed for failure to prosecute;

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the plaintiff desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.

/s/ Joy Flowers Conti
JOY FLOWERS CONTI
United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

Angelo Randolph
42366
Allegheny County Jail
950 Second Avenue
Pittsburgh, PA 15219